GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted over the Integrated Check Post of Commercial Taxes, Transport, Agricultural Market Committee and Forest Departments, Naraharipeta, Chittoor District on 03-06-2016 – Allegations of Corruption – Common disciplinary proceedings initiated – Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges framed against Sri Kamatam Madan Mohan, Senior Commercial Tax Inspector, Integrated Check Post, Commercial Tax Department, Naraharipeta, Chittoor District - Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.518 **Dated:19-04-2018**

Read the following:

Ref: 1. From Director General, Anti Corruption Bureau, A.P, Lr.Rc.No.58/DES-TCT/2016, dated:10-02-2017.
2. From DG, ACB, AP Lr.Rc.No.58/DES-TCT/2016, dt:19-02-2018.
3. G.O.Ms.No.170, Rev (Vig–II) Dept., Dated:19-04-2018.

******

O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 3rd read above, it is considered necessary to hold an enquiry against Sri Kamatam Madan Mohan, Senior Commercial Tax Inspector, Integrated Check Post, Commercial Tax Department, Naraharipeta, Chittoor District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Kamatam Madan Mohan, Senior Commercial Tax Inspector, Integrated Check Post, Commercial Tax Department, Naraharipeta, Chittoor District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Kamatam Madan Mohan, Senior Commercial Tax Inspector, Integrated Check Post, Commercial Tax Department, Naraharipeta, Chittoor District is further informed that if he does not submit his written statement of defence on or before the date specified in para 2 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Kamatam Madan Mohan, Senior Commercial Tax Inspector, Integrated Check Post, Commercial Tax Department, Naraharipeta, Chittoor District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation

Contd.,2

is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
Sri Kamatam Madan Mohan, Senior Commercial Tax Inspector, Integrated Check Post, Commercial Tax Department, Naraharipeta, Chittoor District (with Enclosers Annexures I to IV)
through Commissioner of Commercial Taxes, Andhra Pradesh, Vijayawada.
(with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to
The Commissioner of Commercial Taxes, Andhra Pradesh, Eedupugallu, Vijayawada.
The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Velagapudi.
The Director General, Anti Corruption Bureau, Andhra Pradesh, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Vijayawada.
The Deputy Commissioner, Commercial Taxes, Chittoor District.
SF / SC.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE -I

ARTICLE CHARGES FRAMED AGAINST SRI KAMATAM MADAN MOHAN, AGE 39 YRS, SENIOR ASSISTANT CTI, INTEGRATED CHECK POST, COMMERCIAL TAX DEPARTMENT, NARAHARIPETA, CHITTOOR DISTRICT.

That Sri. K.Madan Mohan having joined Government service as Junior Assistant on 22-09-1997 in Commercial Taxes Department. He worked in the above capacities at various places in Chittoor District. He worked as Senior Assistant, Integrated Check Post, Commercial Taxes Department, Naraharipeta, Chittoor District from 23-12-2015 to 03-06-2016, here in after called Government Servant.(G.S)

CHARGE:1

That Sri. K.Madan Mohan was working as Senior Assistant, engaged in corrupt practices and an amount of Rs. 2,800/- was found in the Wooden rack of the main hall, an amount of Rs. 8,300/- was found between the records of record room and an amount of Rs. 5,160/- found from the toilet mug of the bathroom. Thus the total unaccounted amount which was collected from the Drivers/Cleaners of the lorries who passes the check post by the officials of the check post as bribes and the Government servant failed to account for the same.

Thus, Sri. K.Madan Mohan by his mentioned acts as exhibited lack of supervision lack of integrity, devotion to duty, conduct unbecoming of a Government Servant and there by contravened Rule 3(1),(2), and 9 (8 A) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

ANNEXURE -II

STATEMENT OF IMPUTATIONS OF MISCOUNDUCT AND MISBEHAVIOUR IN SUPORT OF THE ARTICLE CHARGES FRAMED AGAINST SRI KAMATAM MADAN MOHAN, AGE 39 YRS, SENIOR ASSISTANT CTI, INTEGRATED CHECK POST, COMMERCIAL TAX DEPARTMENT, NARAHARIPETA, CHITTOOR DISTRICT.

Sri. K.Madan Mohan is a native of Sundraiah Nagar, Tirupati, Chittoor District. His date of birth is 17-03-1977. He entered into Government Service as Junior Assistant on 22-09-1997. He worked in the above capacities various places in Chittoor District. He worked as Senior Assistant, Integrated Check Post, Commercial Taxes Department, Naraharipeta, Chittoor District from 13-09-2012 to 03-06-2016. He was drawing a basic pay of Rs. 35,120/- in the scale of pay Rs. 22,460/- to 66,330/- as on 03-06-2016. His superannuation is on 31-03-2037. He is here-in-after referred as Government Servant (G.S).

CHARGE:-1

That the Government Servant Sri. K.Madan Mohan, while he was working as Senior Assistant, from 23-12-2015 to 03-06-2016, he engaged corrupt practices an amount of Rs. 2,800/- was found in the Wooden rack of the main hall, an amount of Rs. 8,300/- was found between the records of record room and an amount of Rs. 5,160/- found from the toilet mug of the bathroom. Thus the total unaccounted amount which was collected from the Drivers/Cleaners of the lorries who passes the check post by the officials of the check post as bribes and the Government servant failed to account for the same. Thus SO violated the provisions laid down under Rule 9(8A) of Andhra Pradesh Civil Services (conduct) Rules, 1964.

FACTS AND EVIDENCE:-

The surprise check conducted by Anti Corruption Bureau, Officials on the Integrated Check post of Commercial Taxes and RTA Department, Naraharipeta, Chittoor District on 03-06-2016. Then the Deputy Superintendent of Police, Anti Corruption Bureau, Tirupati instructed his staff to check the Government cash collected from the vehicle drivers in the form of user charges by Commercial Taxes Department and Agricultural Department. The amounts present in the counters were found tallied with the registers maintained by the respective departments and the same was returned to them under proper acknowledgment, after due attestations by the mediators and the Deputy Superintendent of Police. Then the Deputy Superintendent of Police instructed the AMVI to attend his routine work at RTA Check post.

Then the Deputy Superintendent of Police, Anti Corruption Bureau, Tirupati instructed the Anti Corruption Bureau staff and mediators to check the three buildings of check post premises. Upon that in the main building an unaccounted amount of Rs.2800/- is found behind the wooden rack of Commercial Taxes Department, abutting the Eastern wall of the main hall, an unaccounted amount of Rs.8300/- is found in between the records of the Record room in Integrated Check Post main building and an amount of Rs.5160/- is found in the toilet mug of the bathroom attached to the rest room. Further an unaccounted amount of Rs.3800/- is found in the bushes present on the Western side of the RTA building. Thus the Deputy Superintendent of Police, Anti Corruption Bureau seized a total unaccounted amount of Rs.20,060/- for taking further action in the presence of mediators.

The Deputy Superintendent of Police, Anti Corruption Bureau examined the following lorry drivers/cleaners and their statements were recorded and duly attested by the mediators.

Contd.,2

(1) Sri Narasimha Seshlite @ Ranipeta Suresh, S/o late Narasimham, age 40 years, Owner cum driver of lorry TN 23 AR 3844, R/o Bada Sali street, Karikkala village & post, Arrokkonam Tq, Tamilnadu, Cell No: 8892064409, 9943077081. DL No: 280/17.

(2) Kanagala Gurumurthy, S/o late Satyanarayana, age 31 years, Driver of lorry AP 16 TH 1619, R/o D.No: 6-829, Dange Nagar, Jaggaiahpeta, Krishna District, Cell No: 9963960909, DL No: 1632 NDG 2004.

(3) Sri Terli Ranga Rao, S/o late Venugopal Rao, age 36 years, Driver of lorry AP 16 TB 5522, R/o 2-169/9, Tadigadapa, Penamaluru Mandal, Vijayawada Rural, Krishna District, Cell No: 9539557488, DL.No: DLF AP 01 681492001.

(4) Sri Paradarami Mani, S/o P.Varadarajulu, age 42 years, Cleaner of Lorry AB 26 D 5959, R/o D.No.125/ 109, Greamspet, Chittoor, (Driver Ahamed cell No: 9844778766, DL No: DLF AP 00311 3092008)

The gist of their statements is that they regularly used to pass through this Integrated Check Post, Naraharipet, Chittor district for that they need to get it verify their records by the check post officials and get stamp on the papers. For that even though they are having all the valid records the check post officials at the check post used to collect Rs. 50 to 100/ - per vehicle to pass through their check post, if they does not pay at counters, they will be harassed in the name of checking and imposing penal fee etc., facts.

During the surprise check the registers were checked and seized by the Deputy Superintendent of Police, Anti Corruption Bureau, Tirupati Range, Tirupati in the presence of Mediators.

The facts and material gathered so revealed that the Government Servant Sri. K.Madan Mohan, Senior Assistant, Integrated Check Post, Commercial Taxes Department, Naraharipeta, Chittoor District has committed the grave misconduct.

Thus the Government Servant Sri. K.Madan Mohan, by his above mentioned act has exhibited lack of supervision, lack of Integrity devotion to duty and conduct, unbecoming of Government Servant and their by violated Rule 3(1), (2), 9 (8.A) of Andhra Pradesh Civil Services (conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES:-

1. Sri Thupalli Samireddy Rajasekhar Reddy, S/o T.S. Ramakrishana Reddy, age 45 years, Assistant Divisional Engineer (O & M), O/o CMD, APSPDCL, Tirupati, R/o D.No. 9-18/A, Beside SEICOM College, Near Maruthi Nagar, Tirupti, Chittoor District, Cell No: 8332999181. (Mediator)

2. Sri Sreepathi Ramesh, S/o Bhadraiah, age 41 years, Junior Accounts Officer, CPR Section, O/o CMD, APSPDCL, Tirupati, Chittoor District, R/o, H.No: 19-3-13/D, Kenedy Nagar, Tirupati, Chittoor District, Cell No: 8333900502. (Mediator)

3. Sri. A.Sankar Reddy, Deputy Superintendent of Police, Anti Corruption Bureau, Tirupati Range, Tirupati. (Investigating Officer)

4. Sri. C.Lakshmikantha Reddy, Inspector of Police, Anti Corruption Bureau, Tirupati Range, Tirupati. (Investigating Officer)

5. The Dy. Commissioner of Commercial Taxes, Chittoor, Chittoor District.

6. Sri Narasimha Seshlite @ Ranipeta Suresh, S/o late Narasimham, age 40 years, Owner cum driver of lorry TN 23 AR 3844, R/o Bada Sali street, Karikkala village & post, Arrokkonam Tq, Tamilnadu, Cell No: 8892064409, 9943077081. DL No: 280/17.

7. Sri Kanagala Gurumurthy, S/o late Satyanarayana, age 31 years, Driver of lorry AP 16 TH 1619, R/o D.No: 6-829, Dange Nagar, Jaggaiahpeta, Krishna District, Cell No: 9963960909, DL No: 1632 NDG 2004.

8. Sri Terli Ranga Rao, S/o late Venugopal Rao, age 36 years, Driver of lorry AP 16 TB 5522, R/o 2-169/9, Tadigadapa, Penamaluru Mandal, Vijayawada Rural, Krishna District, Cell No: 9539557488, DL.No: DLF AP 01 681492001.

9. Sri Paradarami Mani, S/o P.Varadarajulu, age 42 years, Cleaner of Lorry AB 26 D 5959, R/o D.No.125/ 109, Greamspet, Chittoor, (Driver Ahamed cell No: 9844778766, DL No: DLF AP 00311 3092008)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

ANNEXURE-IV

LIST OF RECORDS /DOCUMENTS:-

1. Original surprise check proceedings drafted on 03-06-2016 from 21.00 hrs to 04-06-2016 at 01.15 hrs at the Integrated Check Post, Naraharipeta, Chittoor District.

2. Duty Register of Commercial Taxes Department, Forest and RTA Department of Integrated Check Post, Chittoor District.

3. Attendance Register of Agricultural Department of Integrated Check Post, Chittoor District.

4. Duty Register of HCL Engineers, Generators, Generator operators and data entry operators of Integrated Check Post, Chittoor District.

5. Reply letter Vide Rc. No.B1/277/2016, Dt:09-06-2016 of Deputy Commissioner, Commercial Taxes Department, Chittoor, Chittoor District.

6. Statement of Sri Narasimha Seshlite @ Ranipeta Suresh, S/o late Narasimham, age 40 years, Owner cum driver of lorry TN 23 AR 3844, R/o Bada Sali street, Karikkala village & post, Arrokkonam Tq, Tamilnadu, Cell No: 8892064409, 9943077081. DL No: 280/17.

7. Statement of Sri Kanagala Gurumurthy, S/o late Satyanarayana, age 31 years, Driver of lorry AP 16 TH 1619, R/o D.No: 6-829, Dange Nagar, Jaggaiahpeta, Krishna District, Cell No: 9963960909, DL No: 1632 NDG 2004.

8. Statement of Sri Terli Ranga Rao, S/o late Venugopal Rao, age 36 years, Driver of lorry AP 16 TB 5522, R/o 2-169/9, Tadigadapa, Penamaluru Mandal, Vijayawada Rural, Krishna District, Cell No: 9539557488, DL.No: DLF AP 01 681492001.

9. Statement of Sri Paradarami Mani, S/o P.Varadarajulu, age 42 years, Cleaner of Lorry AB 26 D 5959, R/o D.No.125/ 109, Greamspet, Chittoor, Driver Ahamed cell No: 9844778766, DL No: DLF AP 00311 3092008)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER